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Before the  
COPYRIGHT ARBITRATION ROYALTY PANEL  
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GENERAL COUNSEL  
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In the Matter of )

Distribution of 1998 and 1999 )  
Cable Royalty Funds )

Docket No. 2001-8 CARP-CD 98-99

RESPONSE OF THE NATIONAL ASSOCIATION OF BROADCASTERS TO THE  
COPYRIGHT ARBITRATION ROYALTY PANEL'S SEPTEMBER 24, 2003 ORDER

The National Associations of Broadcasters ("NAB") files this response to the two questions posed by the Copyright Arbitration Royalty Panel (the "Panel") in their September 24, 2003 Order (the "Order").

With respect to Question 1, NAB believes that the cited discrepancy was rectified in the August 28, 2003, "Motion of the Canadian Claimants Group for Acceptance of Corrected Versions of Portions of Proposed Findings and Conclusions of Law."

With respect to Question 2, NAB has proposed that the Music Claimants be awarded 0.9% of the royalties, and that such an award may be taken "off the top" before the remaining claimant groups' shares, thus resulting in a proportionate allocation of the Music royalties across claimant categories. If the Panel adopts that approach, there would be no need to allocate different shares to Music from the Basic and 3.75% Funds. However, if the Panel decides to allocate the Music share

based on the differential use of music by different claimant groups (NAB PF ¶ 199-202; NAB Reply PF ¶ 172-174; JSC PF ¶ 446-452), then the Panel would presumably end up allocating a different total Music share for the 3.75% Fund as opposed to the Basic Fund, simply because of the different claimant groups receiving shares from the two funds. NAB does not claim any portion of the Syndex Fund, and thus states no opinion regarding its allocation.

Respectfully submitted,

NATIONAL ASSOCIATION OF  
BROADCASTERS

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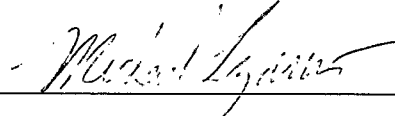
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### CERTIFICATE OF SERVICE

I, Michael Lazarus, hereby certify that, in accordance with the agreement of all Phase I parties regarding compliance with service requirements, I have caused copies of the foregoing "Response of the National Association of Broadcasters to the Copyright Arbitration Royalty Panel's September 24, 2003 Order" to be sent by electronic mail, in .PDF format, to all parties as specified below, with an asterisk by the name of the representative(s) of each party to whom the electronic mail was sent. Copies were sent via FedEx to parties as noted below.

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